IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 22844 of 2007(T)

PETITIONER:

N.K.SAJIV MENON, MANAGING DIRECTOR,
GEM INTERNATIONAL SCHOOL,
EDUCATIONAL SYSTEMS INTERNATIONAL LTD.,
CORPORATION OFFICE, GEM INTERNATIONAL,
OPP. S.N.PARK, KANNUR.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. **THE SUPERINTENDENT OF POLICE,**
   KANNUR.

2. **THE SUB INSPECTOR OF POLICE,**
   TOWN POLICE STATION, KANNUR.

3. **THE SUB INSPECTOR OF POLICE,**
   THALIPARAMBA.

4. **GIRIJA NAMBIAR, D/O RUGMINI AMMA,**
   KOOVERI VAYAL, KOOVERI P.O.,
   CHAPPARAPADAVU, KANNUR DISTRICT.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 22844 of 2007-T

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Dated this the 14th day of August, 2007.

JUDGMENT

On the strength of certain allegations, the petitioner seeks a direction to a police officer to register a crime on the basis of the allegations made in Ext.P3. Without venturing to decide as to whether the contents of Ext.P2 or the allegations in Ext.P3 make out an offence punishable under law, even if I am to swallow all the arguments and to hold that Ext.P3 contains allegations regarding the commission of offence punishable under Section 500 IPC, that is not a cognizable offence and therefore, there is no statutory duty on the police officer to register the complaint in terms of Section 154 Cr.P.C. The judgments referred to by the learned counsel for the petitioner in J**oseph Thomas v. Sabu George** [1988 (1) KLT 126],

Velayudhan v. State of Kerala [1998 (1) KLT 364] and **Kaneri Moideen Kutty Haji v. State of Kerala** [2002 (1) KLT 835] are all relating to cognizable offences.

For the reasons stated above, I find no ground to issue any direction as sought for. Hence, the writ petition is dismissed without prejudice to any of the contentions of the petitioner regarding the contents of Exts.P2 and P3.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-